

REMARKS

The present application contains claims 1-12. However, claims 5 – 8 have been previously canceled. Applicant hereby requests further examination and reconsideration of the application in view of the remarks below.

The Examiner has rejected claims 1-4 and 9-12 as being unpatentable under 35 USC § 103(a) over Lai (U.S. Pub. 2003/0003907) in view of Stenman (U.S. Pat. 6,223,029).

Lai is a remote control system used to monitor and affect the operation of a mobile phone. Lai is limited, however, to exchanging control commands (as opposed to content {audio, video, text message content, etc.}) between itself and a mobile phone. Thus, the device in Lai can receive an indication that a call is incoming to a mobile phone and can even receive and display a caller ID indicator. This can be characterized as control data as opposed to actual content data. Lai's remote control device is then capable of sending control instructions back to the mobile phone causing the mobile phone to take the call, disconnect, transfer the call, etc. (see, ¶ [0040]). What Lai cannot do, however, is have the remote control device itself take the call because it does not actually possess a speaker or microphone component despite the Examiners assertion to the contrary. The Examiner has cited ¶ [0040] of Lai as disclosing a speaker and microphone within the remote control device. Upon a closer read of ¶ [0040] it is evident that Lai was referencing a separate headset that may be linked to the mobile phone not to the remote control device itself. Thus, Lai does not teach a remote control having a *speaker for outputting audio signals received from the mobile phone or a microphone for receiving audio signals to be transmitted to the mobile phone.*

In sum, Lai teaches a remote control device that can exchange certain control signals with a mobile phone but cannot exchange signals carrying the actual content of a phone call.

The secondary reference cited by the Examiner, Stenman, teaches a single combined mobile phone / remote control device as opposed to a separate remote control device communicable with a mobile phone as taught by the present invention. Moreover, the Stenman device is mutually exclusively operable as either a mobile phone or a remote controller of peripheral devices. In other words, Stenman can either act as a mobile phone or a remote control. Contrary to the Examiner's assertion, data signals (such as voice, video or text) received by the mobile phone from a mobile phone network cannot be sent out to a peripheral device by Stenman because Stenman has not disclosed or described a mechanism for integrating the remote control functions with the received signals from the mobile phone network. This is because Stenman and the present invention serve different purposes. Stenman is best described as a combination device that can perform mobile phone functions and remote control functions separately. The present invention describes and claims a remote control device that can ac-

tually receive and re-direct (to peripheral devices) content data from a mobile phone network via a mobile phone.

Thus, according to the present invention a mobile phone can receive a photograph over the mobile phone network and relay the photograph to the remote control device which can then re-direct the photograph data to be rendered on a peripheral device such as a television. Similarly, the mobile phone can receive an MP3 audio file over the mobile phone network and relay the MP3 file to the remote control device which can then re-direct the MP3 audio file to be played back on a peripheral device such as a stereo system. Stenman simply does not teach having the remote control device *transmit the data signal received from the mobile phone to a peripheral device.*

Since Lai does not actually teach some of the elements that the Examiner has credited to Lai and Stenman does not actually teach some of the elements that the Examiner has credited to Stenman, the 35 USC § 103(a) obviousness rejection of Lai (U.S. Pub. 2003/0003907) in view of Stenman (U.S. Pat. 6,223,029) fails to meet its statutory burdens.

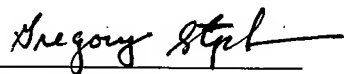
For the foregoing reasons, the Applicant respectfully submits that all of the claims in the present application are in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of the claims at the earliest possible date are respectfully requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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